

Opening Statement of Ranking Member Max Baucus
Hearing on Border and Credential Security
Senate Committee on Finance
January 30, 2003

This hearing could not be more timely. Just two nights ago, President Bush spoke to the nation and reminded us about the war on terror and how high the stakes are. In reference to the war on terrorism, he said “as we fight this war, we will remember where it began: in our own country.” He said “we’ve intensified security at the borders and ports of entry.”

That’s what this hearing is all about. One of the most important aspects about homeland defense is securing our borders. The primary function of government is protecting the homeland. Americans depend upon border security personnel to ensure their safety and protect their freedoms. They expect them to be vigilant. They expect them to be thorough.

Border security agencies have played a considerable role in the history of our country. In 1853, members of Teddy Roosevelt’s “Rough Riders” secured our southern borders - a role that has only become more complex and more challenging.

Our southern border with Mexico is 2,000 miles. Our northern border with Canada is 5,500 miles. The terrain varies – from the deserts of Arizona to the mountains in Montana.

Everyday, more than 1.5 million people cross into the U.S. They have different rules of entry depending upon their citizenship and where they’re coming from. Americans can use a variety of means to establish their citizenship, including driver’s licenses and birth certificates.

Today’s hearing is not about closing our borders, but rather protecting our borders against those who mean us harm. My state of Montana has the longest international border in the country – 550 miles. Border security has been a concern of mine for many years. Last year, I held a series of meetings in Montana with citizens living in our border communities. They are concerned. They are not convinced that government is doing enough to secure the borders or their safety.

That is why I – along with Senator Grassley – requested the General Accounting Office to investigate the security of our borders and ports of entry. GAO’s findings will raise serious questions about whether the government is doing enough.

I believe there are three major issues that are key to effectively protecting our borders and ports of entry.

First, we must identify and address the availability of fictitious documents to any individual seeking entry into the United States.

Let’s just consider an entrant who claims to be a U.S. citizen. They can use a birth certificate or driver’s license as proof of citizenship. More than 8,000 state and local offices issue driver’s license, birth certificates, and documents that can establish residence or identity. But there is no standardized document for entry. Our border security officers don’t have a check-list of authorized state driver’s license formats. They are not consistently checking the imbedded holograms in the license as proof of authenticity.

Anyone with a personal computer and basic software, or materials from an arts and crafts store, can create a birth certificate. More troubling is that for \$12 you can get a copy of someone's birth certificate over the Internet. The fact that someone can go to an international airport and buy an "Affidavit of U.S. Citizenship" for five bucks is troubling.

Second, talk is cheap, securing our borders isn't. As a nation we continue to talk about the urgency of securing our nation's borders from further terrorist threats. But the resources are not getting to their targets fast enough.

For example, in Montana our U.S. Border Patrol has been preliminarily approved for three new border patrol substations along our 550 mile border. While this is exciting news, I'm told it will take approximately 4 to 5 years for those offices to become operational due to lengthy approval procedures. This does not exemplify the urgency of our situation.

Third, homeland defense is not just about securing ports of entry, but also about the vast spaces of land in between ports of entry. In Montana alone we have over 13 federal jurisdictions responsible for securing the border at and in between the ports. Yet only 5 of those 13 are part of the new Department of Homeland Security.

The spaces in between are policed not only by the U.S. Border Patrol, but also the Bureau of Land Management, the Park Service, the Bureau of Indian Affairs and tribal law enforcement.

Border security is about coordination, cooperation, and communication. It is essential that a fully comprehensive and streamlined approach to border security be developed to allow all policing agencies access and communication with other agencies.

I remain deeply concerned that our nation's progress to secure its borders is woefully inadequate. The terrorist attacks of September 11th were over 16 months ago. Clearly, we can and must do better. We should stop the fraud, commit the necessary resources, and work together.

President Bush recently said that "this government has a responsibility to confront the threat of terror wherever it is found." This threat is at our borders.

The "millennium bomber" drove across the U.S. border in December 1999. He had links to al-Qaeda and bomb making materials similar to those used at the embassy bombings in Africa, and the 1993 World Trade Center bombing.

Almost three years later, GAO's agents crossed the same border. They expected tight security. They expected to be stopped. They expected that lessons were learned. They were surprised by the lack of enforcement. So am I.